

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**VICTOR H. OROZCO,**

**Plaintiff,**

**v.**

**No. 4:24-cv-0885-P**

**CVS HEALTH CORPORATION,**

**Defendant.**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES  
MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation (“FCR”) in this case. ECF No. 55. In that order, the Magistrate Judge recommended that this case be dismissed because Plaintiff failed to state his claims. *Id.* On May 13, 2025, Plaintiff filed a 645-page objection to the FCR. ECF No. 56. Consequently, the Court considers the Magistrate Judge’s Recommendation to be ripe for review.

The Court has carefully reviewed Plaintiff’s filing and finds that it contains no cognizable objections. While it contains hundreds of pages of “evidence,” there is nothing contained therein which addresses or resolves the deficiencies identified in the FCR. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court. While generally the Court typically dismisses cases on the pleadings without prejudice to allow plaintiffs an opportunity to replead a legally cognizable claim without the identified infirmities. The only exception to this rule is triggered if “it appears beyond doubt that the plaintiff can prove no set of facts in support of [their] claim which would entitle [them] to relief.” *Cates v. Int’l Tel. & Tel. Co.*, 756 F.2d 1161, 1179–80

(5th Cir. 1985). Here, Plaintiff has had multiple opportunities to plead his best claim and has submitted nearly 700 pages of evidence in support of that claim. Having reviewed all of the pleadings in this case, the Court finds that it is beyond doubt that Plaintiff can provide a set of facts to support his claims. The Court therefore **ORDERS** that this case is **DISMISSED with prejudice**.

**SO ORDERED** on this **14th day of May 2025**.

A handwritten signature in black ink, reading "Mark T. Pitman", written over a horizontal line.

MARK T. PITTMAN  
UNITED STATES DISTRICT JUDGE